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POLICY STATEMENT

Time to Abandon 30-Year Old "Mutual Assured Destruction" Pact with the Soviet Union

Protecting America's Cities from the Growing Threat of Rogue Nations

November 10, 1999

Introduction

George Washington once described the geographical isolation of the North American continent as "our blessed location." His era, in which the buffer of two vast oceans made a meaningful contribution to American security, has now passed. The United States is rapidly becoming ever more vulnerable to ballistic missile attack from rogue states with weapons of mass destruction.

The United States currently has no defense against ballistic missile attack. American forces cannot even protect U.S. citizens from an attack on their homes or their cities from a single missile launched by a terrorist state. Yet a majority of Americans are unaware of this stark fact.

Congress has enacted legislation requiring the Clinton administration to deploy a missile defense system "as soon as is technologically possible." But the administration is attempting to justify its failure to do so by clinging to a thoroughly outmoded treaty: the 1972 Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Anti-Ballistic Missiles, known as the "ABM Treaty."

The Growing Ballistic Missile Threat to the American Population

The threat of ballistic missile attack is growing rapidly. In July 1998, the bipartisan Commission to Assess the Ballistic Missile Threat to the United States, led by former Secretary of Defense Donald Rumsfeld, reported to Congress that:

- **Nations hostile to the United States** are engaging in concerted efforts to acquire sophisticated ballistic missile technology.
- **The threat to the United States posed by these nations** is broader, more mature, and evolving more rapidly than previously thought.
- **Even nations that currently lack ballistic missile capability** can acquire it within five years of deciding to do so, and would in that time be able to inflict major destruction on the United States.
- **It is increasingly possible to conceal** important elements of ballistic missile development work, as well as development of other weapons of mass destruction.
- **The United States might have little or no warning** of whether rogue states have begun developing such weapons, and little or no warning of any operational deployment of ballistic missiles by hostile states.

One example of a rogue nation that poses an increasing threat is North Korea. Within the last year, North Korean Defense Ministry officials have publicly stated that “the Korean people are ready to annihilate U.S. imperialists,” that North Korea would “plunge the damned U.S. territory into a sea of flame” and “blow up the U.S. territory as a whole.”

One month after the release of the Rumsfeld Commission's report, North Korea launched a three-stage intercontinental ballistic missile, the Taepo-Dong 1, over the territory of our ally Japan. North Korea is currently developing a Taepo-Dong 2 with a range of at least 4,000 miles, which could reach California, Oregon, Washington, western Canada, and Alaska, as well as Hawaii. The most recent National Intelligence Estimate (September 1999) stated that “most analysts believe [the Taepo-Dong-2] *could be tested at any time.*” (Emphasis added.) Moreover, as the members of the Rumsfeld Commission have observed publicly, the first “test” of such a new weapon may be the first time it is actually used.

In July 1999, the bipartisan Rudman-Hart Commission on National Security/ 21st Century reported that over the next 25 years, “America will become increasingly vulnerable to hostile attack on our homeland ... Americans will likely die on American soil, possibly in large numbers.”

The September 1999 U.S. National Intelligence Estimate states that Iran could test an ICBM “that could deliver a several-hundred kilogram payload to many parts of the United States in the last half of the next decade using Russian technology and assistance.” The

same U.S. intelligence estimate stated that “most analysts believe [Iran] could test an ICBM capable of delivering a lighter payload to the United States in the next few years following the North Korean pattern.”

The People's Republic of China currently has targeted the majority of its land-based ICBMs on mainland United States cities. (According to the Clinton administration, this remains true despite a so-called “detargeting” agreement between the United States and the PRC announced during President Clinton's June 1998 visit to the PRC.) The PRC's East Wind missiles, almost all of which have been deployed during the 1990s, can hit every U.S. city from Los Angeles to New York.

Moreover, with the help of stolen U.S. technology, the PRC is now developing a new 8,000 mile-range East Wind-41 mobile ICBM, which will also target all of the United States. This next generation missile will, according to the National Intelligence Estimate, likely have modern small warheads “influenced by U.S. technology gained through espionage.”

The PRC's strategy seeks to use its long-range missiles to deter U.S. leaders from aiding our friends and allies in Asia, including Taiwan, by holding U.S. cities hostage. During the 1996 Taiwan Straits crisis, a People's Liberation Army general stated that the United States would not be willing to trade Los Angeles for Taipei.

In addition, the PRC is a significant proliferator of weapons of mass destruction technology to rogue states that oppose the United States.

The Thoroughly Outmoded ABM Treaty and Its Adherents in the Clinton-Gore Administration

In spite of the warnings of the Rumsfeld Commission, the Rudman-Hart Commission, and the House Select Committee, and despite the assessment of the U.S. Intelligence Community, the Clinton administration continues to oppose the deployment of a national ballistic missile defense—ostensibly on the grounds that it would violate the ABM Treaty.

The 1972 ABM Treaty—a bilateral agreement between the United States and the Soviet Union—was designed to discourage the building of more offensive weapons by the world's two superpowers. Its premise was that by subjecting both the United States and the Soviet Union to “mutual assured destruction,” both sides would be deterred from launching an offensive nuclear strike.

But since the collapse of the Soviet Union, the U.S. has become the world's *only* superpower. Moreover, long-range missile threats to America now come not from just one nation but at least 15 countries, including North Korea, China, and Iran. These countries have never been, are not, and will not be bound by the ABM Treaty.

Indeed, now that the Cold War is ended, it is possible to see that the ABM Treaty did not even succeed in slowing Soviet missile construction, its primary purpose when the

Soviet Union still existed. In the two decades that followed the ratification of the ABM Treaty, the Soviet Union engaged in a massive buildup of its ICBM forces, even while building its own missile defenses in direct violation of the treaty's terms. Today, the Russian arsenal is being sold for hard currency on the black market to the very rogue states that will never abide by any treaty, and against whose missiles America still has no defense.

For the United States to adhere to the outmoded ABM treaty in today's world is indefensible. Control over the vast Russian nuclear arsenal is weaker now than ever before, and still deteriorating. In addition to the more than fifteen nations that now have ballistic missiles, more than 25 nations now have or may be developing chemical, biological, and nuclear weapons.

Yet despite these developments, the Clinton administration continues to cripple U.S. efforts to defend the United States, our forces, and our allies by refusing to cite the demise of the ABM Treaty or give the six months notice of unilateral withdrawal from its terms that would permit the deployment of a genuine defense. Incredibly, on October 21, 1999, the Clinton-Gore administration reasserted that the ABM Treaty is "the cornerstone of our strategic strategy [sic]."

Pronouncing the ABM Treaty Dead, Once and for All

Congress must affirm what the President has not:

- Many legal scholars have concluded that the ABM Treaty expired along with its signatory, the Soviet Union, and cannot be revived or amended without the advice and consent of the Senate. The authorities who have pronounced the ABM Treaty null and void include former Secretary of State Henry Kissinger, one of the architects of the ABM Treaty.
- The Clinton-Gore administration's attempts to prolong and expand the ABM Treaty are utterly inconsistent with the supreme national interests of the United States and must be rejected. Moreover, such attempts are invalid without the advice and consent of the Senate.
- The Clinton-Gore administration's proposals to give Russia millions of U.S. taxpayer dollars to complete the Mishlevka missile-tracking radar facility, and to give Russia access to U.S. early warning data, should be rigorously evaluated on their own terms, based exclusively on their contribution to the United States' national security interest—and not based on whether they will induce Russia to accede to changes in a treaty that the United States can, and should, unilaterally determine not to be bound by.

If Russia objects to the United States defending itself against the offensive efforts of other states that were not even conceivable threats when the ABM Treaty was signed

nearly 30 years ago, then the United States must make it clear that it is no longer bound by the ABM Treaty.

Defending America from Terrorist Missile Attack: Time is of the Essence

The United States has the technological capability to begin deploying a ballistic missile defense system now, before it is too late. On October 2, 1999, the United States successfully destroyed an incoming missile in a test over the Pacific Ocean—the second successful intercept in the ballistic missile defense program within the last eight months.

Deploying missile defenses also has strong bipartisan support: in March 1999, the House overwhelmingly passed the National Missile Defense Act, with the support of 214 Republicans and 103 Democrats. The Senate embraced a similar measure by a vote of 97 to 3.

While the Clinton-Gore administration indulges in protracted negotiations with Russia over an obsolete treaty that actually impedes the defense of our supreme national interests, America remains needlessly vulnerable to devastating terrorist missile attack. That is indefensible. The time to protect American citizens from a missile attack on an American city is now.

President Ronald Reagan's vision of an America safe from the threat of ballistic missiles, first articulated in March 1983, is now within reach—if only we will act.

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